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Identical letters dated 8 August 2010 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the General Assembly and the President of the Security Council

I have the honour to forward a very urgent letter dated 8 August 2010 from Samdech Akka Moha Sena Padei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia, addressed to you.

I would like to request you to kindly circulate the letter of my Prime Minister as a document of the General Assembly, under agenda item 13, and of the Security Council.

(*Signed*) Kosal **Sea**
Ambassador
Permanent Representative

10-48165 (E) 130810

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Annex to the identical letters dated 8 August 2010 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the General Assembly and the President of the Security Council

I have the honour to inform you that on 7 August 2010, during a public meeting with the People's Alliance for Democracy, the Prime Minister of Thailand declared openly, "About the land encroachment, we will cancel the memorandum of understanding if the problem can't be settled. We will use both diplomatic and military means."

This statement of the Prime Minister of Thailand constitutes on the one hand an obvious threat to cancel unilaterally a legal document, namely the memorandum of understanding signed on 14 June 2000 between the Royal Government of Cambodia and the Government of the Kingdom of Thailand for the demarcation of the border, and on the other hand a clear threat to use military force to settle the problem of the demarcation of the border, which has been clearly demarcated by the Convention of 1904, the Treaty of 1907 between France and Siam and the maps produced by the Franco-Siamese Commission set up by the above-mentioned Convention.

I would like to bring to your kind attention that the maps which had been issued by the Franco-Siamese Commission in 1908 were the solid basis by which the International Court of Justice adjudicated on 15 June 1962 as follows:

> "the Temple of Preah Vihear is situated in territory under the sovereignty of Cambodia;"
>
> "Thailand was under an obligation to withdraw any military or police forces, or other guards or keepers, stationed by her at the Temple, or in its vicinity on Cambodian territory."

In violation of the judgment of the International Court of Justice, Thailand currently maintains its soldiers in the Keo Sikkhakiri Svara pagoda of Cambodia, situated only about 300 metres from the Temple of Preah Vihear, well inside Cambodian territory.

By seriously threatening to use military force against Cambodia to settle the problem of the border, Thailand flagrantly violates Article 2.3 and 2.4 of the United Nations Charter. Cambodia, for its part, reaffirms its constant policy not to use armed forces to settle any problem with neighbouring countries. Cambodia nonetheless reserves its legitimate rights to defend its sovereignty and territorial integrity in case of deliberate acts of aggression.

In the face of this serious threat of use of armed forces against Cambodia to settle the border demarcation, I earnestly request you to circulate this letter to all members of the General Assembly and the Security Council for information.

(*Signed*) **Hun Sen**